

Filed for intro on 02/04/98  
HOUSE BILL 2731 By  
Scroggs

SENATE BILL 3231  
By Person

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11, Part 3 and Title 40, Chapter 11, Part 1, relative to professional bondmen.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-301(d), is amended by deleting the period (.) at the end of the subsection and by substituting instead the following language and punctuation:

“, and includes agents commonly known as bounty hunters or bail enforcement agents.”

SECTION 2. Tennessee Code Annotated, Title 40, Chapter 11, Part 3, is further amended by adding the following as a new, appropriately designated section:

(a) A professional bondsman, and all agents of a professional bondsman, must be registered as a contract private security officer pursuant to §§ 62-35-101 et seq.

(b)(1) A professional bondman shall retain a certificate of insurance evidencing general liability coverage for the negligent acts of the insured and the insured's agents. The insurance shall cover property damage and bodily or personal injury including false arrest, libel, slander and invasion of privacy. The policy for personal or bodily injury shall be at least three hundred thousand dollars (\$300,000) and the policy for property damage shall be at least one hundred thousand dollars (\$100,000).

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(2) Such certificates of insurance shall be available for inspection during normal business hours. All persons required to be insured by this section shall obtain such insurance from an insurer approved to provide insurance by this or another state.

(c) In order to qualify as a court-approved bondsman, a professional bondsman must present both proof of registration as a contract private security officer and proof of insurance to the court clerk of the county in which such approval is sought.

SECTION 3. Tennessee Code Annotated, Section 40-11-314, is amended by deleting the words and punctuation "if such professional bondsman has ever been indicted and convicted of any felony in any state or federal court, within a five-year period prior to entering into such undertaking as surety." and by substituting instead the following words and punctuation:

if such professional bondsman has ever been:

(1) Indicted and convicted of any felony in any state or federal court;

(2) Convicted of any misdemeanor involving a firearm or other weapon, theft of property, theft of services, assault and battery or other acts of violence against person or property, or the sale, manufacture or distribution of controlled substances;

(3) Treated for drug or alcohol abuse; or

(4) Declared by any court with jurisdiction as incompetent by reason of any mental defect or disease unless the person was later declared competent by a court with jurisdiction.

SECTION 4. Tennessee Code Annotated, Section 40-11-128, is amended by designating the existing language as subsection (a) and by adding the following as a new subsection (b):

(b) A person shall also be disqualified under this section if the person has been:

(1) Indicted and convicted of any felony in any state or federal court;

(2) Convicted of any misdemeanor involving a firearm or other weapon, theft of property, theft of services, assault and battery or other acts of violence against person or property, or the sale, manufacture or distribution of controlled substances;

(3) Treated for drug or alcohol abuse; or

(4) Declared by any court with jurisdiction as incompetent by reason of any mental defect or disease unless the person was later declared competent by a court with jurisdiction.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.